

State of Illinois

General No.: 07C6938

County of USDC CHICAGO

AFFIDAVIT OF SERVICE

MICHAEL McGLOON deposes and says that he/she is a licensed or registered employee of a Private Detective Agency, licensed by the Illinois Department of Professional Regulation and therefore authorized, pursuant to the provisions of Chapter 735, Code of Civil Procedure Section 5/2-202, Illinois Compiled Statutes, to serve process in the above cause, and that the defendant was served in the following manner:

On 8/19/2008 at 7:04:00 PM by leaving a true and correct copy of the attached CITATION TO DISCOVER ASSETS; CITATION NOTICE with Prairie Rock Excavating, LLC c/o Joe Baldo as shown below:


Served the within named Prairie Rock Excavating, LLC c/o Joe Baldo by delivering a true and correct copy of the CITATION TO DISCOVER ASSETS; CITATION NOTICE, to Joe Baldo a person authorized to accept service of process as agent.

Said service was effected at 1415 Wilmot Rd., Deerfield, IL 60015

Description of Person Served Sex: Height: Weight: Race: Age:
M 6'0 200 W 40ish
Additional or Other Information:

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to such matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

8-20-08
Dated


Michael McGloob
117-000192

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

INTERNATIONAL UNION OF
OPERATING ENGINEERS,
LOCAL 150, AFL-CIO,

Plaintiff/Judgment Creditor,

vs.

PRAIRIE ROCK
EXCAVATING, L.L.C., an Illinois
limited liability company,

Defendant/Judgment Debtor.

)
) CIVIL ACTION

)
) NO. 07 C 6938

)
) JUDGE: Manning

)
) MAGISTRATE JUDGE: Cole

CITATION NOTICE

Judgment Debtor's Last Known Address:

Judgment Creditor/Creditor's Attorney:

Prairie Rock Excavating L.L.C.
c/o Joe Baldo, President & Registered Agent
1415 Wilmot Road
Deerfield, IL 60015

Melissa L. Binetti
IUOE Local 150, Legal Department
6140 Joliet Road
Countryside, IL 60525

Judgment in the amount of \$6,025.06 for International Union of Operating Engineers, Local 150, ALF-CIO. Of that amount, \$6,025.06 remains unsatisfied.

Name of Person Receiving Citation: Joe Baldo, President & Registered Agent

Date & Time: August 28, 2008 at 10:00 a.m.

The court has issued a citation against the person named above. The citation directs that person to appear at the offices of Plaintiff's counsel to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed \$2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$1,500 in value, in any implements, professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$15,000, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a wage deduction summons served on or after January 1, 2006, the Illinois minimum hourly wage, whichever is greater.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at 219 South Dearborn Street, 20th Floor, Chicago, IL 60604. When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

INTERNATIONAL UNION OF
OPERATING ENGINEERS,
LOCAL 150, AFL-CIO,

Plaintiff/Judgment Creditor,

vs.

PRAIRIE ROCK
EXCAVATING, L.L.C., an Illinois
limited liability company,

Defendant/Judgment Debtor.

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) CIVIL ACTION
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) NO. 07 C 6938
)
)
) JUDGE: Manning
)
) MAGISTRATE JUDGE: Cole
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CITATION TO DISCOVER ASSETS

TO: Prairie Rock Excavating, LLC
Joe Baldo, President & Registered Agent
1415 Wilmot Road
Deerfield, IL 60015

YOU ARE SUMMONED to be present in person, individually and in your capacity as an officer or agent of the above-named Defendant, at the offices of I.U.O.E. Local 150, Legal Department, 6140 Joliet Road, Countryside, Illinois, with Plaintiff's counsel, on **the 28th day of August 2008**, at the hour of **10:00 a.m.**, and thereafter until the above-entitled cause shall be concluded; and then and there to answer under oath such questions as may be put to you concerning the personal and real property of and/or indebtedness due the above-named Defendant, and to abide by the further order of the Court.

WARNING: YOUR FAILURE TO APPEAR AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE FEDERAL JAIL.

You are further commanded to produce at said time and place:

- A. Defendant's checking and savings account records;
- B. Defendant's accounts receivable ledgers;
- B. Defendant's current financial statement;
- D. Copies of all title documents to property of Defendant, both personal and real;


- E. Copies of all documents evidencing security interests in Defendant's personal property;
- F. Copies of all documents evidencing mortgages or equitable interests in any real property of Defendant;
- G. All books, papers or records in your possession or control which may contain information concerning the property or income of, or indebtedness due, Defendant; and
- H. Copies of all contracts or subcontracts for work currently being performed or to be performed by Defendant.

YOU ARE PROHIBITED, as of the date upon which this Citation was served upon you, from making or allowing any transfer or other disposition of, or interference with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which it may be entitled or which may be acquired by or become due to it and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to it, until the further order of Court or termination of the proceedings. You may be held personally accountable should you violate this injunction. You are not required to withhold the payment of any money beyond double the amount of the judgment.

In the United States District Court for the Northern District of Illinois, Eastern Division, judgment was entered in favor of the Plaintiff on June 13, 2008, in the aggregate sum of \$6,025.06. The total amount of \$6,025.06 remains unsatisfied.

I, the undersigned attorney for Plaintiff, certify to the Court under penalty of perjury that the foregoing is true and correct.

Attorney for Plaintiff
Local 150 Legal Department
6140 Joliet Road
Countryside, IL 60525
Ph. 708/579-6663



Attorney for the Plaintiff

MICHAEL W. DOBBINS

Clerk of Court

Deputy Clerk
AUG 6 2008

Date

(Seal of Court)